

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

SAM METHVIN, JACK METHVIN, AND
CHARLES CAGLE, A/K/A MCM GROUP,
AN UNINCORPORATED ASSOCIATION,
DEUTSCHE INTERNATIONAL, 1, L.L.C.
and C. DeLYNN HEAPS,,

Plaintiffs,

V.

FMR, L.L.C.,

Defendant.

Civil Action No. 2:11-CV-00034-J

AGREED MOTION BY ALL PARTIES TO DISMISS

TO THE HONORABLE JUDGE ROBINSON:

COMES NOW, Plaintiffs and Defendant and file this their Agreed Motion By All Parties to Dismiss (“Agreed Motion”), and would respectfully show the Court as follows:

1. Plaintiffs are Sam Methvin, Jack Methvin, and Charles Cagle, a/k/aMCM Group, an unincorporated association, Deutsche International, 1, L.L.C., and C. DeLynn Heaps (collectively, “Plaintiffs”). Defendant is FMR, L.L.C. (“Defendants”).
2. Plaintiffs filed this civil action against Defendant on February 17, 2011.
3. All parties agree to the dismissal.
4. This case is not a class action.
5. A receiver has not been appointed in this action.
6. This dismissal is with prejudice to refiling.
7. All costs of court shall be borne by the party incurring same.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs and Defendant respectfully request that this Court grant their Agreed Motion.

Respectfully Submitted,

By: /s/ Fernando M. Bustos

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served in compliance with the Federal Rules of Civil Procedure and the Local Rules through ECF filing to all counsel of record on the 22nd of August, 2011.

s/ Fernando M. Bustos

Fernando M. Bustos